

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

EARL GENE GRANT

v.

JEFFREY MCGILL, et al.

PRISONER

Case No. 3:06CV1063 (RNC) (DFM)

RULING AND ORDER

The petitioner has filed two motions to amend the petition and three motions seeking discovery. The respondent seeks an extension of time to respond to the court's order to show cause. For the reasons that follow, the respondent's motion is granted and the petitioner's motions are denied.

I. Motion for Extension of Time [doc. #18]

On October 3, 2006, the respondent filed a motion, *nunc pro tunc*, for an extension of time, from September 27, 2006 until October 11, 2006, to respond to the court's order to show cause. The respondent's motion is granted.

II. Motions to Amend [docs. ##10, 11]

The petitioner has filed two motions seeking to amend his petition. In the September 15, 2006 ruling denying the plaintiff's previous motion to amend, the court informed the petitioner that he must submit a proposed amended petition along with any motion for leave to amend. The petitioner has not submitted a proposed amended petition with either motion.

In addition, in both motions, the petitioner seeks to

include a request for damages in his petition. Damages are not available in a habeas corpus action. See Nelson v. Campbell, 541 U.S. 637, 646 (2004). Thus, the motions to amend are denied.

III. Motion for Disclosure [doc. #12], Motion for Federal Investigation [doc. #14] and Motion to Subpoena Bank Statements [doc. #15]

The petitioner next asks the court to order that he be provided copies of music he says that he wrote, to conduct an independent investigation and to subpoena the bank statements from various persons who are not parties to this action. As the court stated in the previous ruling, the court does not conduct discovery on behalf of litigants or assist litigants in conducting their own discovery. In addition, the court explained that discovery in habeas cases is limited.

The court cannot discern the relevance of the items referenced or activities requested in these motions to the grounds for relief in the petition. Accordingly, these discovery-related motions are denied.

IV. Conclusion

The respondent's motion for extension of time [**doc. #18**] is **GRANTED**. The petitioner's motions to amend [**docs. #10, 11**], and for disclosure [**doc. #12**], federal investigation [**doc. #14**] and subpoena [**doc. #15**] are **DENIED**.

SO ORDERED this 16th day of October, 2006, at Hartford, Connecticut.

/s/ Donna F. Martinez
DONNA F. MARTINEZ
UNITED STATES MAGISTRATE JUDGE